

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
AND
IN ITS GENERAL AND INHERENT JURISDICTION

JUDGE'S ORDER NO. 166 OF 2021
IN
INDIAN ADOPTION PETITION NO. 80 OF 2021

M.S.W.C. Asha Sadan Balgruh ... Petitioner

and.

Kalpesh Kirtikumar Lodha ... Proposed Adopters
and Hardika Kalpesh Lodha
Kanya @ Kysha Kalpesh Lodha (Minor)

Ms. Varsha Bhogle for the Petitioner.

Mr. O. Hareendran Nambiar for ICSW is present.

Mr. D. R. Talekar, 1st Master is present.

CORAM : A. K. MENON, J.

DATED : 30th SEPTEMBER , 2021

P.C. :

1. This petition is filed under section 58(3) of the Juvenile Justice (Care & Protection of Children) Act, 2015. Asha Sadan Balgruh and Co-petitioners- Kalpesh Kirtikumar Lodha and Hardika Kalpesh Lodha have filed this petition seeking appointment of the co-petitioners as adoptive parents of minor girl child Kanya @ Kysha born on 10th April, 2021 who is in the care and protection of M.S.W.C. Asha Sadan

Balgruh, Umerkhadi, Mumbai and for consequential reliefs of change of name, leave to remove the child from the jurisdiction of this court and to reside with the prospective adoptive parents. The minor has been declared legally free for adoption on 23rd June, 2021 pursuant to relevant inquiries made under section 38 of the the Juvenile Justice (Care & Protection of Children) Act, 2015. The biological mother of the child executed a deed of surrender before the Child Welfare Committee and the child safe custody order is in place. The child has been surrendered by the biological mother on 22nd April, 2021.

2. The prospective adoptive parents have filed their declaration and willingness to adopt dated 13th August, 2021. Child care arrangement is also been placed on record which indicates that the prospective adoptive mother is a house wife and available at the residence to look after the child. They have expressed and confirmed their desire to adopt.

3. The income records appear to be satisfactory. The prospective adoptive father is a Jeweller by profession and is self employed running his own business. Home study report is positive and both prospective adoptive parents are confirmed having received guidance in relation to the consequences of adoption. Medical examination report of the child reveals mild hearing loss of one side. The parents are made aware of the

same. They find this fully acceptable and are willing to do all that is required to ensure the health, well being and up bringing of the child.

4. Having heard Ms. Bhogle in support and having perused the record, I have no hesitation in allowing this application. Accordingly I pass the following order :

(i) Petition is allowed in terms of prayer clause (a) to (e) both inclusive.

(ii) Prospective adoptive parents shall invest a sum of Rs.2,00,000/- in the name of the child in LIC's Single Endowment Plan No.917 for 18 years. No loan shall be taken on the policy. The petitioner shall file evidence of this fact having been communicated to the LIC in the registry.

(iii) Undertakings are accepted.

(iv) Accordingly, Judges order is signed separately.

(v) Petition is disposed in terms of the above.

(A. K.MENON, J.)